

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

CEDRIC ANTHONY JONES,

Plaintiff,

v.

MICHAEL S. ALSOBROOK, ET AL.,

Defendants.

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CIVIL ACTION NO. 5:18-CV-00042-RWS-CMC

ORDER

Plaintiff Cedric Jones, proceeding *pro se*, filed this civil action complaining of the actions of his defense attorneys in his criminal case. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

After Plaintiff filed his complaint, the Court ordered Plaintiff to either pay the statutory filing fee or submit an application for leave to proceed *in forma pauperis* accompanied by a certified inmate trust account statement, as required by 28 U.S.C. § 1915(b). Docket No. 6. By separate order, the Court also directed Plaintiff to file an amended complaint setting out his claims with more factual specificity. Docket No. 5. Plaintiff received copies of these orders, but to date has not complied or responded in any way.

The Magistrate Judge issued a Report recommending Plaintiff's lawsuit be dismissed without prejudice for failure to prosecute or to obey an order of the Court (Docket No. 8). Plaintiff received a copy of this Report, but has filed no objections thereto; accordingly, he is barred from *de novo* review by the District Judge of those findings, conclusions and

recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Servs Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).


Nonetheless, the Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge and agrees with the Report of the Magistrate Judge. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants. . . .’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). It is accordingly

ORDERED the Report of the Magistrate Judge (Docket No. 8) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute or to obey an order of the Court. Finally, it is

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED**.

So ORDERED and SIGNED this 18th day of September, 2019.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE